



CBNSF

23.6-1.1

2/11/05

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

February 11, 2005

Mr. Bruce Gordon
Manson Construction
P.O. Box 24067
Seattle, Washington 98124

Dear Mr. Gordon:

Thank you for meeting with Cory Coleman, U.S.C.G., Russ McMillan, Ecology, and me on the late morning-early afternoon of January 27, 2005. During that meeting we discussed a number of issues pertaining to waterside remedial activities including:

Spill Notification Requirements

The following apply:

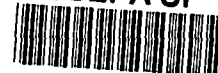
1. Discharges of oil and hazardous materials to waters of the state must be *immediately* reported to both Emergency Management Division (EMD) on behalf of Ecology and the U.S. Coast Guard (U.S.C.G.) per **RCW 90.56.280**:
 - a. Emergency Management Division (EMD): **(800) 258-5990**.
 - b. U.S.C.G. may be contacted through the National Response Center (NRC): **(800) 424-8802**.
2. Furthermore, releases of hazardous material/dangerous waste to the environment must be *immediately* reported to Ecology and the local emergency authorities per the local plan (contact the local fire/emergency service coordinator) per **WAC 173-303-145(2)**. Ecology may be notified through EMD (see telephone number above).
3. Reporting *immediately* means: within one hour of the discovery of a spill.

Cleanup and Mitigation Requirements

There are a number of laws or rules that apply to cleanup of spilled oil or hazardous materials, including:

1. **RCW 90.56.340** requires anyone owning or having control over oil entering waters of the state from a vessel to immediately collect and remove the same.
2. **WAC 173-303-145(3)** requires anyone responsible for release of a hazardous material or a dangerous waste to the environment to immediately take steps for control, containment, cleanup and disposal of these released materials.
3. **RCW 70.105D.030(a)** gives Ecology the authority to require potentially liable persons to conduct remedial actions for released hazardous substances.

USEPA SF



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Unauthorized Discharges

The following types of discharges are prohibited in Washington State:

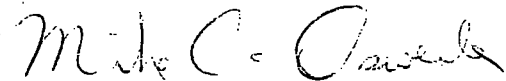
1. **RCW 90.48.080** prohibits discharge of any polluting matter to waters of the state of Washington. "State Waters" is very broadly defined in both RCW 90.48 and RCW 90.56.
2. **WAC 173-303-145(1)** does not allow unauthorized discharges of hazardous materials to the environment.
3. Per **WAC 173-303**, once a hazardous material is removed from an excavation, it is regulated as a hazardous waste. Releases of such material are also reportable under **WAC 173-303-145(2)**.

The Tacoma waterways are in the public eye—spills to them cause a lot of unneeded and unwanted publicity, not only for the responsible party but also for the oversight agencies (local, state, federal). I encourage you to take every step possible to prevent future spills, to make timely notification, and to be prepared to respond in the event of a spill.

I would be pleased to assist you in evaluating and upgrading your operations. Please call me at (360) 407-6372 to arrange an appointment.

Thank you very much for your attention to these matters. Your cooperation is greatly appreciated.

Sincerely,



Mike C. Osweiler
Ecology/Spills/SWRO

Enclosures: RCW 90.48
RCW 70.105D
RCW 90.56
WAC 173-303

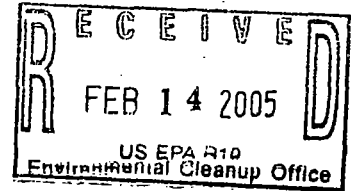
cc: Iain Wingard, Floyd-Snider
John Malek, EPA/Region X
Piper Peterson Lee, EPA/Region X
P.O. Cory Coleman, U.S.C.G./MSO-Seattle
Emile Pitre, Army Corp of Engineers
John O'Loughlin, City of Tacoma
Jim Oberlander, City of Tacoma Environmental Services
Stan Cummings, Citizens for a Healthy Bay
Joseph Marsh, Army Corps of Engineers
Dave Byers, Ecology/SWRO
Jeff Fishel, Ecology/Spills
Rebecca Lawson, Ecology/SWRO
Russ McMillan, Ecology/SWRO



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February 11, 2005

Mr. Bill Elmer
American Construction Company, Inc.
411 - 13th Street
Everett, WA 98201

Dear Mr. Elmer:

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cc: John Malek, EPA/Region X
Piper Peterson Lee, EPA/Region X
P.O. Cory Coleman, U.S.C.G./MSO-Seattle
Emile Pitre, Army Corp of Engineers
John O'Loughlin, City of Tacoma
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Russ McMillan, Ecology/SWRO



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February 11, 2005

Mr. Thomas Jirava
General Construction Company
701 East "F" Street
Tacoma, WA 98421

Dear Mr. Jirava:

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February 11, 2005

Mr. John McBride
Manke Lumber Co. Inc.
1717 Marine view Drive
Tacoma, WA 98422

Dear Mr. McBride:

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Incident Reports from the advanced search

Number of Incidents found: 29

ERTS # 545884

Where it happened

When/What happened

Received Date 1/23/2005

Incident Date 1/23/2005

Medium SURFACE WATER-MARINE

Material PETROLEUM - HYDRAULIC OIL

Quantity 10 Unit GALLON

Source VESSEL - OTHER

Cause EQUIPMENT FAILURE

Activity DREDGING

Impact WATER POLLUTION

Vessel Name

Address 2901 TAYLOR WAY

City/Place TACOMA

Business/Location HYLEBOS WATER WAY

County PIERCE

Primary Potentially Responsible Party

Last Name

Business Name BEAN ENVIRONMENTAL

Entry Person BROOKS, NANNETTE

Entry Date 1/24/2005 9:33:00 AM

Update/View

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ERTS #	Received Date	City/Place	Material	Source	Address	RRP Last Name	RRP Business
545884	1/23/2005	TACOMA	PETROLEUM - HYD	VESSEL - OTH	2901 TAYLOR WAY		BEAN ENVIRON
545858	1/21/2005	TACOMA	VEGETABLE OIL	VESSEL - OTH			BOYER TOWING
545791	1/19/2005	TACOMA	PETROLEUM - HYD	VESSEL - OTH	2901 TAYLOR WAY		BEAN ENVIRON
545785	1/16/2005	TACOMA	PETROLEUM - HYD	VESSEL - OTH	2901 TAYLOR WAY		BEAN ENVIRON
545776	1/15/2005	TACOMA	PETROLEUM - HYD	COMMERCIAL		LEE	TRIDENT SEAFO
545366	12/21/2004	TACOMA	PETROLEUM - UNKN	UNKNOWN		UNKNOWN	
545040	12/6/2004	TACOMA	PETROLEUM - HYD	DREDGING SITE			BEAN ENVIRON
544984	12/1/2004	TACOMA	PETROLEUM - UNKN	DREDGING SITE		UNKNOWN	
544848	11/23/2004	TACOMA	MUD/SILT	MINING SITE	1621 MARINE VIEW		QUIGG BROTHE
544765	11/17/2004	TACOMA	PETROLEUM - UNKN	UNKNOWN	MARINE VIEW DR	UNKNOWN	
544611	11/9/2004	TACOMA	MUD/SILT	MINING SITE	1621 MARINE VIEW		QUIGG BROTHE
544544	11/5/2004	TACOMA	PETROLEUM - UNKN	OTHER	1690 MARINE VIEW	UNKNOWN	
544460	11/2/2004	TACOMA	PETROLEUM - UNKN	UNKNOWN	4224 MARINE VIEW	UNKNOWN	
544273	10/23/2004	TACOMA	PETROLEUM - UNKN	UNKNOWN	HYLEBOS WATER W	UNKNOWN	
544035	10/14/2004	TACOMA	PETROLEUM - WAS	UNKNOWN	11TH ST BRIDE	UNKNOWN	
543929	10/8/2004	TACOMA	OTHER - SEE NOTE	VESSEL - OTH		RODRIGUEZ	
543931	10/8/2004	TACOMA	PETROLEUM - HYD	TRANSPORTATI	3628 SOUTH 35TH S	BRIZIUS	TACOMA POWE
543733	9/26/2004	TACOMA	PETROLEUM - DIES	VESSEL - TUG B	2901 TAYLOR WAY		BEAN ENVIRON
543562	9/16/2004	TACOMA	PETROLEUM - HYD	VESSEL - OTH	2901 TAYLOR WAY		BEAN ENVIRON
543095	8/25/2004	TACOMA	PETROLEUM - HYD	CONSTRUCTIO	3340 E 11TH ST		MILLER CONTRA
542688	8/6/2004	TACOMA	OTHER - SEE NOTE	VESSEL - PASS	MARINE VIEW DRIV	UNKNOWN	
542522	7/30/2004	TACOMA	PETROLEUM - HYD	DREDGING SITE			AMERICAN CON
542318	7/22/2004	TACOMA	UNKNOWN	UNKNOWN	OUTFALL 20, TPCHD		

(OVER)

541979	7/8/2004	TACOMA	PETROLEUM - DIES	VESSEL - OTHE	2901 TAYLOR WAY	BEUTEL	HJB MARINE	
541513	6/17/2004	TACOMA	PETROLEUM - GAS	VESSEL - UNKN	4224 MARINE VIEW			
541330	6/8/2004	TACOMA	CHEMICAL	ILLEGAL DUMP	1905 MARINE VIEW	OLINE		
539712	3/19/2004	TACOMA	PETROLEUM - DIES	UNKNOWN	MARINE VIEW DRIV			
539504	3/9/2004	TACOMA	PETROLEUM - OIL	VESSEL - PLEA	MARINE VIEW DRIV			
538926	2/10/2004	TACOMA	MUD/SILT	DREDGING SITE	OFF MARINE VIEW D			

Incident Reports from the advanced search

Number of Incidents found: 28

ERTS # 545938

Where it happened

When/What happened

Received Date 1/25/2005

Incident Date 1/25/2005

Medium SOIL

Material PETROLEUM - WASTE/USED OIL

Quantity 12 Unit GALLON

Source OTHER

Cause HUMAN FACTOR - SUSPECTED CRIMIN

Activity SUSPECTED ILLEGAL ACTIVITY

Impact SOIL CONTAMINATION

Vessel Name

Address DOCK STREET

City/Place TACOMA

Business/Location NEW ALBERS MILL MARINA

County PIERCE

Primary Potentially Responsible Party

Last Name

Business Name

Entry Person BROOKS, NANNETTE

Entry Date 1/25/2005 4:56:00 PM

Update/View

Back

ERTS #	Received Date	City/Place	Material	Source	Address	PRP/Last Name	PRP/Business
545938	1/25/2005	TACOMA	PETROLEUM - WAS	OTHER	DOCK STREET		
545694	1/13/2005	TACOMA	PETROLEUM - DIES	UNKNOWN		UNKNOWN	
545874	1/12/2005	TACOMA	PETROLEUM - OIL	UNKNOWN		UNKNOWN	
545472	12/29/2004	TACOMA	PETROLEUM - UNKN	UNKNOWN		UNKNOWN	
544977	12/1/2004	TACOMA	PETROLEUM - MOT	PUBLIC AGENC	S 13TH AND PACIFIC	BAILEY	PIERCE COUNT
544985	12/1/2004	TACOMA	PETROLEUM - UNKN	UNKNOWN		UNKNOWN	
544635	11/10/2004	TACOMA	SEWAGE/SLUDGE	MUNICIPAL/IND	25TH AND HOOD ST		CITY OF TACOM
544493	11/4/2004	TACOMA	UNKNOWN	UNKNOWN		UNKNOWN	
544443	11/1/2004	TACOMA	PETROLEUM - DIES	VESSEL - FISHI		UNNAMED	
544360	10/28/2004	TACOMA	PETROLEUM - UNKN	UNKNOWN		UNKNOWN	
544160	10/19/2004	TACOMA	PETROLEUM - WAS	DOMESTIC	4635 S PARK	BROOKSHIRE	
543099	8/25/2004	TACOMA	PETROLEUM - UNKN	UNKNOWN	821 DOCK STREET	UNKNOWN	
543057	8/23/2004	TACOMA	CHEMICAL	INDUSTRIAL FA			SIMPSON TACO
542710	8/8/2004	TACOMA	PETROLEUM - GAS	VESSEL - PLEA	821 DOCK STREET		WN479RM
542470	7/28/2004	TACOMA	UNKNOWN	VESSEL - PLEA	1616 EAST D ST	BAARCLAG	
541582	6/20/2004	TACOMA	UNKNOWN	UNKNOWN	302 E 11TH STREET		
541030	5/26/2004	TACOMA	PETROLEUM - MOT	TRANSPORTATI	SOUTH 12TH AND A		CITY OF TACOM
539013	2/17/2004	TACOMA	OTHER - SEE NOTE	COMMERCIAL	THEA FOSS WATER		BENJAMIN FOSS
539003	2/13/2004	TACOMA	OTHER - SEE NOTE	VESSEL - OTHE			
538921	2/10/2004	TACOMA	MUD/SILT	DREDGING SITE			
538885	2/6/2004	TACOMA	CHEMICAL	MANUFACTURE	501 EAST E STREET	WEBBER	AWGI LLC
538460	1/18/2004	TACOMA	SEWAGE/SLUDGE	SEWAGE RUNO			
538334	1/12/2004	TACOMA	PETROLEUM - OIL	C DREDGING SITE	11TH STREET BRID		